

SENTENCING MINUTES

Date: 04/01/2022

Judge: LIAM O'GRADY
Reporter: S. Wallace
Time: 9:21 a.m. – 9:45 a.m.
(00:24)

Case Number: 1:19cr282-2

Interpreter/Language: Miriam Deutsch/Spanish

Counsel/Govt: Anthony Aminoff

UNITED STATES OF AMERICA

v.

**JOSE MARIA FRAGOSO
D'ACUNTI**

Counsel/Deft: Gregory Hunter

Court adopts PSI (☒) without exceptions (☒)

SENTENCING GUIDELINES:

Offense Level: 39

Criminal History: I

Imprisonment Range: 262 to 327 months

Supervised Release Range: 5 years

Fine Range: \$50,000.00 to \$10,000,000.00

Restitution \$ N/A

Special Assessment \$100

with exceptions:

Court departs from Guidelines pursuant to:

 USSG 5H1.4

 USSG 5K1.1

 USSG 5K2.12

 USSG 5C1.2

Other:

JUDGMENT OF THE COURT:

BOP for 144 months w/credit for time served since date of arrest of 01/14/2020.

Supervised Release for 5 Years, with special conditions: (☒) Yes (☐) No

No punitive fines/costs of incarceration imposed.

Special Assessment \$100

- Defendant advised of appeal rights
- Motion to Dismiss remaining counts of Indictment and proposed Order to be filed by the Government.

SPECIAL CONDITIONS:

1. As a condition of supervised release, upon completion of his Term of imprisonment, the defendant is to be surrendered to a duly-authorized immigration official of the Department of Homeland Security United States Immigration and Customs Enforcement for a deportation review in accordance with established procedures provided by the Immigration and Nationality Act, 8 U.S.C. 1101 et seq. As a further condition of supervised release, if ordered deported, the defendant shall remain outside the United States.

If the defendant is not deported, the following special condition is recommended:

2. The defendant shall provide the probation officer access to any requested financial information.

RECOMMENDATIONS to BOP:

 X Dft. To be designated to: FCI Edgefield, FCI Estill, FCI Jesup, FCI Talladega, or, a facility as close to the Atlanta, Georgia area as possible

 Dft. designated to facility to participate in ICC (Boot Camp) type program

 Dft. to participate in 500 hr Residential Drug Abuse Treatment Program (RDAP)

 Other:

Deft: (☒) Remanded (☐) Cont'd on Bond to Self-Surrender (☐) Referred to USPO (☐) Immediate Deportation